

Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



August 3, 2013

Deputy Isidro Villasenor, #[redacted]
[redacted]

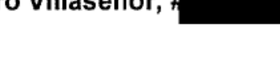
Dear Deputy Villasenor:

On January 7, 2013, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2326402. You were also advised of your right to review the material on which the discipline was based.

You are hereby notified that pursuant to an Education-Based Discipline (EBD) Agreement between you and this Department dated March 20, 2013, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of three (3) days. However, pursuant to the EBD agreement, the three (3) days will be held in abeyance for a period of twelve (12) months which will end on March 19, 2014. All Department records will reflect, nevertheless, that you received a three (3) day suspension. In accordance with the EBD Agreement, you have agreed to participate in an education-based alternative to discipline. Should you fail to complete any of the terms and conditions of the EBD Agreement, the three (3) days held in abeyance will be imposed.

An investigation under File Number IAB 2326402, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures, Sections 3-01/050.10, Performance to Standards (specifically pertaining to 5-06/105.00 Tactical Incidents), on or about January 10, 2012, while on duty, you failed to conform to the work standards established your position as patrol deputy when you failed to employ sound tactical principles and took independent actions while attempting to conduct a traffic stop on a vehicle which contained a wanted felony suspect as evidenced by, but not limited to:



a. placing the patrol vehicle in an unsafe and less than optimal position, next to the suspect vehicle, while contemplating whether to initiate a traffic stop, and/or;

b. failing to communicate and seek the help of other patrol units, and/or broadcast your location after recognizing that a wanted felony suspect was a passenger in the moving vehicle, and/or;

c. failing to communicate and seek the help of other patrol units, and/or broadcast your location when the felony suspect exited the vehicle and appeared to arm himself with what was believed to be a handgun, and/or;

d. failing to engage a threat in the safest manner when the felony suspect displayed what appeared to be a handgun in a threatening manner.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Curtis A. Jensen, Captain
Commander, Norwalk Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

CAJ:AEA:bs

c: Advocacy Unit
Thomas M. Laing, Chief, South Patrol Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Norwalk Station/unit Personnel File

3-01/050.10 PERFORMANCE TO STANDARDS

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department.

Incompetence may be demonstrated by:

- A lack of knowledge of the application of laws required to be enforced,
- An unwillingness or inability to perform assigned tasks,
- Failure to conform to work standards established for the member's rank or position,
- Failure to take appropriate action on the occasion of a crime, disorder or other condition deserving police attention,
- Absence without leave,
- Unnecessary absence from an assigned area during a tour of duty.

In addition to the above, the following will be considered to be prima facie evidence of incompetence:

- Repeated poor evaluations,
- A written record of repeated infractions of the Department's rules, regulations, manuals or directives.

04/01/96 MPP

I certify that on the date indicated below, I received the original of the attached **LETTER OF SUSPENSION** under File Number ***IAB 2326402*** as set forth in Section 18.01 of the Rules of the Los Angeles County Civil Service Commission.

8-3-13

DATE

ISIDRO VILLASENOR, #[redacted]

I certify that on the date indicated below, I served the original of the attached letter of suspension on ***ISIDRO VILLASENOR*** as set forth in Section 18.01 of the Rules of the Los Angeles County Civil Service Commission.

08-03-13

DATE

WITNESS SIGNATURE

STACY B. MORGAN

WITNESS PRINT

Please return this page along with Timekeeping Notification within two (2) business days to:

JACQUELINE POWELL
INTERNAL AFFAIRS BUREAU
4900 S. EASTERN AVE. #100
CITY OF COMMERCE CA 90040
(323) 890-5311

SETTLEMENT AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Deputy Isidro Villasenor, Employee No. [redacted] hereinafter referred to as "Grievant."

The Department and Grievant are parties to this dispute and desire to settle all issues involved in the Letter of Intent dated January 7, 2013, (IAB No. 2326402) upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Grievant for and in consideration of the mutual covenants contained herein, agree as follows:

1. Both parties agree and understand that the three (3) day suspension shall stand.

2. The Department will, upon execution of this Settlement Agreement, hold the three (3) days in abeyance. Additionally, records will reflect that the following listed EBD courses were completed by the Grievant:

- Lieutenant's Interactive Forum for Education (LIFE) class (8 hours) Completed 02/13/13
- Laser I updated (6 hours) Completed 01/30/13
- Write an EBD evaluation reflecting on your experience with the EBD process

3. The Grievant understands that if he becomes the subject of a founded investigation involving similar violations of the Manual of Policy and Procedures, and that if the event resulting in the founded investigation occurred within the twelve (12) month period of the date of execution of this Settlement Agreement, the three (3) days held in abeyance shall be imposed. In addition, the Grievant understands that he will be subjected to additional discipline for each and every founded violation of the Department's Manual of Policy and Procedures.

4. Both parties agree and understand that Grievant's records will reflect that the three (3) day suspension was imposed and may be used for the purposes of demonstrating "progressive discipline."

5. The Grievant agrees to withdraw his grievance. Grievant further agrees to waive any and all further administrative or judicial remedies with respect to the Letter of Imposition and the modified discipline. This waiver shall include, but not be limited to, appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission.

06-28-13

6. The parties further agree that this Settlement Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

7. In consideration of the terms and conditions set forth herein, Grievant agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Grievant concerning the subject matter referred to herein.

8. Grievant further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> *"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."*

9. The date of the last signature placed hereon shall hereinafter be known as the "effective date" of this Settlement Agreement.

10. The parties agree that the foregoing comprises the entire Settlement Agreement between the parties and that there have been no other promises made by any party. Any modification of this Settlement Agreement must be in writing.

I have read the foregoing Settlement Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 3-19-13	Date: 3/20/13
[signature]	[signature]
Isidro Villasenor, Deputy	Thomas M. Laing, Chief Field Operations Region III



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



January 7, 2013

Deputy Isidro Villasenor, #[redacted]

Dear Deputy Villasenor:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of three (3) days.

An investigation under IAB File Number 2326402, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of the Department's Manual of Policy and Procedures, Sections 3-01/050.10, Performance to Standards (specifically pertaining to 5-06/105.00 Tactical Incidents), on or about January 10, 2012, while on duty, you failed to conform to the work standards established your position as patrol deputy when you failed to employ sound tactical principles and took independent actions while attempting to conduct a traffic stop on a vehicle which contained a wanted felony suspect as evidenced by, but not limited to:

   a. placing the patrol vehicle in an unsafe and less than optimal position, next to the suspect vehicle, while contemplating whether to initiate a traffic stop, and/or;

   b. failing to communicate and seek the help of other patrol units, and/or broadcast your location after recognizing that a wanted felony suspect was a passenger in the moving vehicle, and/or;

c. failing to communicate and seek the help of other patrol units, and/or broadcast your location when the felony suspect exited the vehicle and appeared to arm himself with what was believed to be a handgun, and/or;

d. failing to engage a threat in the safest manner when the felony suspect displayed what appeared to be a handgun in a threatening manner.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Jacqueline Powell, of Internal Affairs Bureau, at (323) 890-5311, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Alfred Reyes, Acting Captain
Commander, Norwalk Station

AR:AEA:bs

c: Advocacy Unit
Employee Relations Unit
Thomas M. Laing, Chief, Field Operations Region III
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2326402)

I certify that on the date indicated below, I received the original of the attached Letter of Intent under File Number ***IAB 2326402.***

1-7-13 ______________________

Date

____

ISIDRO VILLASENOR, #[redacted]

I certify that on the date indicated below, I served the original Letter of Intent to ***ISIDRO VILLASENOR.***

1-7-13 ______________________

Date

____

WITNESS SIGNATURE

ALFRED M. REYES ______________________

WITNESS PRINT

Please return this page within two (2) business days to:

JACQUELINE POWELL
Internal Affairs Bureau
4900 S. Eastern Ave. #100
Commerce CA 90040
(323) 890-5311

761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
A Tradition of Service

DATE: December 31, 2012
FILE NO:

OFFICE CORRESPONDENCE

FROM: MICHAEL J. ROTHANS, COMMANDER
FIELD OPERATIONS REGION III

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	SH2304737 / IV2326402
Incident:	Non-Hit Shooting
Incident Date:	January 10, 2012
Unit:	Norwalk Station
Suspect:	Edson Escalona, MH/05-03-1993
Involved Employee:	Deputy Isidro Villasenor, #[redacted]
EFRC Date:	December 20, 2012

The Executive Force Review Committee consisting of Commander Michael Rothans, Commander David Fender, and Commander Buddy Goldman met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Department members may use deadly force in self-defense or in the defense of others, only when they reasonably believe death or serious physical injury is about to be inflicted upon themselves or others.

FINDINGS:

While on routine patrol, the deputy observed two individuals in a vehicle. He recognized the passenger (suspect) in the vehicle as a suspect wanted for attempted murder. The deputy followed the vehicle and attempted to conduct a traffic stop. The vehicle pulled over and the suspect exited the vehicle and started to retrieve a black object from his waistband. Believing this object was a handgun and fearing for his life, the deputy fired several rounds at the suspect. The suspect repositioned himself at the front of his vehicle while the deputy repositioned himself at the rear of his vehicle.

The suspect pointed a handgun at the deputy. Fearing for his life, the deputy fired several more rounds at the suspect.

The suspect was not struck by the deputy's gunfire, fled over a wall and he was later captured within a containment. The arrest of the suspect was made by personnel from the Special Weapons Bureau's Canine Detail after numerous announcements were made and the suspect failed to make himself known and surrender voluntarily. No handgun was recovered from the scene.

The Committee determined the deadly force used to defend against the armed suspect was reasonable, necessary, and justified. The Committee also deemed as **Founded** the allegation that the tactics used by the deputy were in violation of the Department's Manual of Policy and Procedures, Section 3-01/050.10, Performance to Standards (specifically pertaining to Section 5-06/105.00, Tactical Incidents), on or about January 10, 2012, while on duty the deputy failed to conform to the work standards established for his position as a patrol deputy when he failed to employ sound tactical principles and took independent actions while attempting to conduct a traffic stop on a vehicle which contained a wanted felony suspect as evidence by, but not limited to the following:

a. placing the patrol vehicle in an unsafe and less than optimal position, next to the suspect vehicle, while contemplating whether to initiate a traffic stop, and/or;

b. failing to communicate and seek the help of other patrol units, and/or broadcast his location after recognizing that a wanted felony suspect was a passenger in the moving vehicle, and/or;

c. failing to communicate and seek the help of other patrol units, and/or broadcast his location when the felony suspect exited the vehicle and appeared to arm himself with what was believed to be a handgun, and/or;

d. failing to engage a threat in the safest manner when the felony suspect displayed what appeared to be a handgun in a threatening manner.

RECOMMENDATIONS:

The Committee recommended Deputy Isidro Villasenor, #[redacted] receive a **three (3) day suspension**.

The Committee also recommended Deputy Villasenor attend the eight hour Tactics and Survival training (TAS 1 class), the eight hour Perishable Skills training (Handgun/Shotgun Skills) and the eight hour LIFE class training.

Lastly, the Committee recommended the unit commander, Captain Patrick Maxwell, conduct a tactical debriefing regarding the unique circumstances of this incident.

MJR:JER:jer

Table of Contents

IAB CASE NO. **IV2304737**

Los A( )eles County Sheriff's Depa( )ment

Officer Involved Shooting

Report Date: 01/10/12	Bureau/Station/Facility: FOR III / Norwalk	Admin. Invest.? ☐ Hit? ☐

Incident Information

URN: 912-00451-0453-055	Date: 01/10/12	Time: 0311 hours
City or Station: Norwalk	Nature of Incident: During a traffic stop, Deputy Villasenor shot at Suspect Escalona when Suspect Escalona produced a handgun from his waistband.	
Location: Eastbound 105 freeway access road between Hoxie Avenue and Studebaker Road, Norwalk		

Location Type (*circle one or more*): Backyard, Beach, Business, (Freeway), Industrial, Park, Parking Lot, Residence, Rural, School, Street, Other: ______

Lighting (*circle only one*): (Darkness), Daylight, Other, Street Lights

Weather (*circle only one*): (Clear), Cloudy, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, (Armed Person), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, (Traffic Stop), Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, (Observation), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
13	0	☒	☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Last Name: [redacted]		First Name: [redacted]		M.I.: [redacted]
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Jones	Robert	E.	(On Duty), Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Miles	Grady	F.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]		

PSTD Use Only
SH # 2304737

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01/10/12	0440		

Employee #	Last Name	First Name	M.I
[redacted]	Allen	Victor	M.
[redacted]	Kim	Patrick	
[redacted]	Ault	Alicia	E.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH					NN	
E#1	S#1	FH	BR	9	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 912-00451-0453-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Villasenor	First Name: Isidro	M.I.
Sex: M Race:	Rank: Deputy Sheriff	Unit Assignment: Norwalk	Work Assignment (Unit #, Module, etc.): 43T1
ShiftTime (*circle only one*): (EM circled) PM Day	ShiftType (*circle only one*): (Regular circled) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 4	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, (Uniform w/ Vest circled)	Other Factors:
Age: [redacted] Height: 510	Weight: 185		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: 2 Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9 mm # Shots: 13	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]			M.I.
Field Training Officer Emp # [redacted]			M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber # Shots	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber # Shots	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 912-00451-0453-055

Suspect Information

S 1

Last Name: Escalona		First Name: Edson	M.I.: U.
AKA Last Name:		First Name:	M.I.:
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	
Work Phone: [redacted]	Home Phone:	Social Security #:	Driver's License #: [redacted]
Age: 18 D.O.B.: 05/03/93	Height: 505 Weight: 130	FBI #: [redacted]	CII #: [redacted]
Booking #: 3007631	Primary Charge: 245(d)(2) PC	Secondary Charge: 11377(a) H&S	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Toyota		Model: Camry	Year: 1997

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.:	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.:	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S__

Last Name:		First Name:	M.I.:
AKA Last Name:		First Name:	M.I.:
Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.:	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Non Hit Shooting**

IAB FILE NUMBER(S): **SH2304737**

URN#: **912-00451-0453-055**

DATE /TIME: **Tuesday, January 10, 2012 / 0311 Hours**

LOCATION: **I-105 Freeway Access Ramp at Hoxie Avenue**
Norwalk, CA 90050

Opening Statement

On Tuesday, January 10, 2012, Sergeants Victor Allen and Patrick Kim of the Los Angeles County Sheriff Department's Internal Affairs Bureau responded to the Eastbound I-105 freeway access ramp at Hoxie Avenue, Norwalk regarding an on-duty non hit shooting. Internal Affairs Bureau Lieutenant Alicia Ault also responded. Deputy Chief Attorney Rob Miller of the Office of Independent Review was notified and responded to the scene.

Synopsis

On Tuesday, January 10, 2012, Deputy Isidro Villasenor #[redacted] was on routine patrol working unit 43T1 out of Norwalk Sheriff Station. He was in the parking lot of a Taco Bell restaurant on the northeast corner of Studebaker Road and Imperial Highway when Deputy Villasenor observed a vehicle at Fairford Avenue and Imperial Highway. As the vehicle drove pass him westbound, Deputy Villasenor saw that the vehicle did not have its headlights on. The vehicle, a 1997 Toyota Camry, continued westbound on Imperial Highway and stopped in the left turn bay at Hoxie Avenue. Deputy Villasenor stopped in the number one lane of Imperial Highway alongside the vehicle. He illuminated the interior of the Toyota by pointing his spot light toward the ground in the direction of the car. It was at that time, Deputy Villasenor saw two male occupants in the car. Deputy Villasenor recognized the front seat passenger, from a Special Bulletin flyer **[Exhibit A]**, as Edson Escalona who was wanted for attempted murder.

As the Toyota turned and went southbound on Hoxie Avenue, Deputy Villasenor was delayed in following the Toyota while two other cars in the left turn bay completed their turn onto Hoxie Avenue. When the traffic cleared, Deputy Villasenor drove southbound

on Hoxie Avenue. Even though he had not activated his overhead lights, Deputy Villasenor saw what he believed was the driver of the Toyota pulling over. As Deputy Villasenor continued driving toward the Toyota, the driver suddenly drove away and made a left turn onto the eastbound I-105 freeway access road.

Deputy Villasenor followed the Toyota onto the access road and activated his overhead lights. The Toyota pulled over on the access road alongside the embankment. Suspect Escalona immediately exited the passenger door and was facing in the direction of Deputy Villasenor. Upon seeing Suspect Edson exit the car, Deputy Villasenor took a position in the doorway of his radio car. Deputy Villasenor saw Suspect Edson raise his shirt and retrieve a black object from his waistband. Deputy Villasenor believed the object Suspect Escalona retrieved was a semi-automatic handgun. Fearing for his life, Deputy Villasenor fired three rounds at Suspect Escalona.

Suspect Escalona moved to the front of the Toyota. As Deputy Villasenor was moving toward the rear of his radio car, he saw Suspect Escalona raising the gun at him. Fearing for his life, Deputy Villasenor fired 10 additional rounds at Suspect Escalona. Suspect Escalona ran eastbound along the access road, then went up the embankment, scaled a block wall and was out of view.

Deputy Villasenor stayed with the driver of the Toyota, Suspect Valenzuela, who had placed his hands outside the driver's window. Utilizing his hand held radio, Deputy Villasenor advised he was just in a shooting, broadcast the suspect's last seen direction and description and requested additional units to his location. Deputy [redacted] and Phil Sanchez respond to the scene to assist Deputy Villasenor. Suspect Valenzuela was taken into custody without incident. Deputy Villasenor documented his action in a complaint report (refer to pages 1-7 of **Exhibit B**).

Suspect Escalona was subsequently found hiding in a backyard barbeque island by the Los Angeles County Sheriff Department's Special Enforcement Bureau (SEB) K-9 Detail. Upon being located by the K-9, Suspect Escalona sustained multiple dog bites. The use of force related to the dog bites was handled by SEB (refer to the Use of Force report under FO2307318).

Utilizing canines from SEB and Transit Services Bureau, volunteers assigned to the Los Angeles County Sheriff Department's Crime Scene Metal Recovery Unit and deputy personnel assigned to Norwalk Sheriff's station, the areas along the I-105 access road, the I-105 freeway Studebaker Road exit, the Metro Rail Green right of way, and the residential area south of the shooting location was searched for the weapon used by Suspect Escalona. This search met with negative results.

Involved Personnel

Isidro Villasenor #[redacted]
Deputy Sheriff
FOR III / Norwalk Sheriff Station

Work History

Date of Employment:	04/23/1999
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	[redacted]
Date Assigned to Station:	04/12/2009
Prior Shooting Incident(s):	2
Prior Founded Force:	[redacted]

Suspect(s)

Edson Escalona MH/18
DOB: 05/03/1993
Booking Number 3007631

Injuries

Suspect Escalona did not sustain any injuries related to the shooting. He sustained dog bites to his head, face and arms from the K-9 (refer to the Use of Force report under FO2307318).

Physical Evidence

Thirteen expended "WIN 9mm Luger" cartridge cases and two fired bullets were recovered at the scene.

Investigators Observations

The I-105 freeway access road is a two lane asphaltic roadway which descends from Hoxie Avenue to the I-105 freeway exit to Studebaker Road where in merges into a single lane. The access road is bordered on the south by an ascending dirt field that was covered with bark. At the top of the field was a 7 foot high block wall. The access road is bordered to the north by the two lanes of the eastbound I-105 freeway exit at Studebaker Road. To the north of the I-105 freeway was the right-of-way for the Metro Green Line rail system.

Parked along the number two lane of the access road was radio car SD5821. Both doors to the radio car were opened and the rear warning lights and passenger's spot light were activated. Parked on the shoulder of the access road, with the passenger side tires on the embankment, was radio car SD3914. This radio car was directly south of

SD5821. The headlights, spot lights and light bar were active. The thirteen expended casing were found in the street north of Deputy Villasenor's Radio car (SD5821), on the trunk of his car, underneath his radio car and under Deputy [redacted] radio car ([redacted]).

The Toyota Camry ([redacted]) was parked along the shoulder approximately 22 feet in front of SD5821. Both front doors were opened along with the left rear passenger's door. The left front tire of the Camry was flat.

The crime scene was photographed, measured and a sketch was drawn by member of the Los Angeles County Sheriff's Department Scientific Services Bureau. Their actions were documented in supplemental reports (refer to **Exhibit C**)

Weapons used by Deputy

Deputy Villasenor fired 13 rounds of Department issued 9mm ammunition from his Department issued Beretta 92FS, semiautomatic pistol. The weapon was examined by Scientific Services Firearms Identification Unit and found to be functional (refer to the firearms examination report **Exhibit D**).

Date last qualified: [redacted]
Date last trained with weapon:

Weapon used by Suspect

A black semi-auto handgun was seen by Deputy Villasenor; however, it was not recovered.

Property Damage

None

Criminal Investigator

The criminal investigation was handled by Detectives Mark Christiansen and Greg Effle of the Los Angeles County Sheriff's Department Norwalk Station Detective Bureau.

The criminal case was presented to the Bellflower office of the Los Angeles District Attorney's office for consideration of a complaint by Detective Christiansen. On January 26, 2012, the District Attorney filed one (1) FELONY count of Possession of a Controlled Substance, 11377(a) H&S; and one (1) MISDEMEANOR count of Resist, Obstruct, Delay of a Peace Officer, 148(a) (1) P.C. against Suspect Escalona under court case number VA123358 (refer to the felony complaint **Exhibit E**).

Suspect Escalona is scheduled for a preliminary hearing on December 12, 2012 in this case. Additionally, he scheduled for a preliminary hearing on the same date related to the attempt murder charge under court case VA123111.

Lighting and Weather Conditions

The scene was illuminated by the street lights, and the spot light and headlights from Deputy Villasenor's vehicle. The weather was clear and cold.

Interviews

Deputy Isidro Villasenor #[redacted]

On Monday, August 20, 2012, Deputy Isidro Villasenor was interviewed by Internal Affairs Investigators, Sergeants Victor Allen and Brenda Parker. Representing Deputy Villasenor in the interview was Attorney Audra Call of Green and Shinee. The following is a summary of the interview.

Deputy Villasenor said he was on patrol in the city of Norwalk. His attention was drawn to a vehicle driving without its headlights on (during the hours of darkness). Deputy Villasenor said he drove after the car to stop him and possibly cite him for the violation. The vehicle entered the left turn lane at Hoxie Avenue and stopped at a red light. Deputy Villasenor said he stopped alongside the car and illuminated the interior with his spot light. He said he did not point his spot light directly into the car, but had it pointed toward the ground.

Deputy Villasenor said he recognized the front seat passenger from a "Special Bulletin" **[Exhibit A]** he carried in his patrol car as Edson Escalona. He said Suspect Escalona looked suspicious and nervous and that is when he made the decision to stop them. The car made a left turn onto Hoxie Avenue and Deputy Villasenor said when the traffic cleared he followed behind them on Hoxie Avenue. Deputy Villasenor said the driver of the Toyota was attempting to stop. He pulled in behind them, but the driver drove away at a normal speed. Deputy Villasenor said as he was trying to catch them, he requested emergency clearance (10-33) over his radio. He said his radio traffic was not acknowledged by SCC. He said he believed someone was talking over him when he went over the radio.

Deputy Villasenor said the driver of the Toyota turned left onto the access road and pulled over to the right. Deputy Villasenor said Suspect Escalona jumped out of the front passenger door. The door was pinned against the embankment causing Suspect Escalona to wiggle out from the car. Deputy Villasenor said he saw Suspect Escalona raise his shirt and was trying to remove a black semi-auto handgun from his waistband. Deputy Villasenor said the gun was stuck in Suspect Escalona's pants causing him to tug on the weapon. Deputy Villasenor said he took a position behind his door. Believing that Suspect Escalona was going to shoot him, Deputy Villasenor said he fired three rounds at Suspect Escalona to stop the threat. At the time of the shooting, Deputy

Villasenor said his backdrop consisted of the embankment which sloped up and was cover with bark. At the top of the slope was a cinder block wall. He estimated he was about 15 to 20 feet away from Suspect Edson at the time of the shooting.

Deputy Villasenor said Suspect Escalona disappeared behind the door of the Toyota. He believed Suspect Escalona was using the door for cover. Deputy Villasenor said he was in the process of repositioning himself to the rear of his radio car to use it for cover, when he saw Suspect Escalona's head pop up in front of the Toyota. At about the same time, Deputy Villasenor said he saw Suspect Johnny Valenzuela stick his hands out the driver's side of the car. He said he could see that Suspect Escalona was still holding something in his hands. Because he said he knew he had seen Suspect Escalona with a gun, and he did not want Suspect Escalona to shoot at him first, Deputy Escalona said he fired 10 more rounds at Suspect Escalona.

As he was firing his weapon, Deputy Villasenor said Suspect Escalona squatted down, bent over at the waist and pointed his right hand at him. Deputy Villasenor said Suspect Escalona still had the gun in his right hand. Suspect Escalona began running away in a low position using the car for cover. Deputy Villasenor said Suspect Escalona ran about 25 yards along the access road then ran up the slope and over the wall. At the time of this shooting, Deputy Villasenor estimated he was about 30 to 35 feet away from Suspect Escalona.

Deputy Villasenor said he got on the radio and advised he was in a shooting. He said he began setting up a containment and putting out the suspect's description (refer to the radio traffic **Exhibit F**). With the assistance of Deputies [redacted] and Phil Sanchez, Deputy Villasenor said they detained Suspect Valenzuela without incident.

Suspect Johnny Valenzuela

On January 10, 2012, Suspect Valenzuela was interviewed by Detective Mark Christiansen of the Los Angeles County Sheriff's Department Norwalk Station Detective Bureau. The interview was not recorded. His interview was summarized in a supplemental report (refer to pages 22 and 23 of Exhibit B). The following is a brief summary of his interview.

Suspect Valenzuela said he was giving Suspect Escalona a ride to the city of Downey. When they were stopped at a red light at Imperial Highway and Hoxie Avenue a radio car pulled up next to them. Suspect Valenzuela said Suspect Escalona began to say "Fuck, Fuck, Fuck" and became extremely nervous. Suspect Valenzuela said he turned left onto Hoxie Avenue and saw the deputy follow them. He said he told Suspect Escalona he was going to pull over. Suspect Valenzuela said Suspect Escalona pushed a hard metal object into his side and told him "Don't stop, don't stop." Suspect Valenzuela said he did not know what the object was because it was concealed by a shirt. Fearing Suspect Escalona had either a gun or a knife, Suspect Valenzuela said he pulled away from the curb and continued to drive south on Hoxie Avenue.

Suspect Valenzuela said he turned left onto the 105 freeway ramp and was going to stop. Before the car came to a stop, Suspect Valenzuela said Suspect Escalona had opened his car door and began to exit. Once he was stopped, Suspect Valenzuela said he immediately put his hands out the window to show he was unarmed. He said he then heard 5 to 7 gunshots. Suspect Valenzuela said he did not see what direction Suspect Escalona ran.

Suspect Edson Escalona

On January 10, 2012, Suspect Edson Escalona was interviewed by Detectives Mark Christiansen and Greg Effle of the Los Angeles County Sheriff's Department Norwalk Station Detective Bureau. The following is a summary of that interview.

Suspect Escalona said was he riding in the car with his friend "Mike" (Johnny Valenzuela), when a deputy pulled up next to them. He said the deputy pulled in behind them and turned on his siren. Suspect Escalona said he told Mike to turn left on the 105 freeway and find a place where he could "jump out." Suspect Escalona said he was telling Mike to drive but Mike was trying to pull over. When the car stopped, Suspect Escalona said he jump out. When he jumped out, Suspect Escalona said the deputy began shooting. He said he ran along the block wall and jumped over it. Suspect Escalona said he then hid in a barbeque.

Suspect Escalona said the reason he ran was because he had dope on him. He said he did not have a gun. Suspect Escalona said he told the deputies he had a gun because they would not take the dog off of him until he did.

> **IAB Note:** On May 3, 2012, IAB Investigators learned of the allegation made by Suspect Escalona regarding the dog bite. Lieutenant Patrick Bearse of SEB was notified of the allegation. Lieutenant Bearse advised that SEB would handle the allegation of force. The force allegation was documented in the Office Correspondence **Exhibit G**.

Miscellaneous

IAB Lieutenant Alicia Ault checked to see that the Watch Commander, Sergeant [redacted] took reasonable steps to ensure that the involved parties and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, as well as the involved parties and witness personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Ault checked to see if the watch commander attempted to have the involved parties and witness personnel gather in the company of a supervisor until they have provided a statement to the assigned investigators.